

**STATE OF INDIANA – SPENCER COUNTY
IN THE CIRCUIT COURT**

**Notice of Proposed Local Rule Amendment, Finding Good Cause to Deviate
From Established Schedule, and Request for Supreme Court Approval
November 7, 2008**

The judge of the Spencer Circuit Court, pursuant to Trial Rule 81(B), gives notice of an amendment to the local court rule concerning Special Judges Assigned in Criminal Cases, LR74-CR00-1, and finds good cause to deviate from the schedule for amending local rules under Trial Rule 81(D). All new text is shown by underlining and deleted text is shown by ~~striketrough~~. Supreme Court approval is required for this proposed amendment and will not take effect until approved.

Notice has been given to the public by posting with the Spencer County Clerk and on the Indiana Judicial Website, and by furnishing a copy to the officers of the Spencer County Bar Association. Comments may be made until December 7, 2008 to:

Judge Wayne A. Roell, Spencer Circuit Court, P.O. Box 152, Rockport, IN 47635, or by email to spencircct@psci.net.

This rule amendment will be effective on **January 1, 2009**, and after approval by the Indiana Supreme Court.

DATED this 7th day of November 2008.

_____/S/_____
Wayne A. Roell, Judge
Spencer Circuit Court

In the event a change of judge is granted, or it becomes necessary to assign another judge in a felony or misdemeanor proceeding in the Spencer Circuit Court due to a conflict arising from the sitting judge's previous service as Prosecuting Attorney, or his wife's service as support prosecutor, the case shall be assigned to Senior Judge Wayne A. Roell, and if he cannot serve, then to one of the following individuals who have agreed to serve: ~~The list shall be comprised of the following:~~ the Honorable Judge of Warrick Superior Court # 2; the Honorable Judge of Dubois Circuit Court; the Honorable Judge of Dubois Superior Court; the Honorable Judge of Warrick Circuit Court; the Honorable Judge of Perry Circuit Court; and the Honorable Judge of Warrick Superior Court # 1. Appointments shall be made in ~~on a~~ consecutive order from the above list.

In the event a change of judge is granted or it becomes necessary to assign another judge in a felony or misdemeanor proceeding in the Spencer Circuit Court and it is not due to a conflict arising from the sitting judge's previous service as a Prosecuting Attorney, or his wife's service as support prosecutor, the case shall be assigned to one of the following individuals who have agreed to serve: the Honorable Judge of Warrick Superior Court # 2; the Honorable Judge of Dubois Circuit Court; the Honorable Judge of Dubois Superior Court; the Honorable Judge of Warrick Circuit Court; the Honorable Judge of Perry Circuit Court; and the Honorable Judge of Warrick Superior Court # 1. Appointments shall be made in consecutive order from the above list.

Certification shall be made to the Indiana Supreme Court of cases in which no judge is eligible to serve as special judge or the particular circumstance of a case warrants selection of a special judge by the Indiana Supreme Court.